

## IN THE UNITED STATES PATENT & TRADEMARK OFFICE **BOARD OF PATENT APPEALS AND INTERFERENCES**

**Application Number** 

09/654,949

Confirmation No. 7078

**Applicant** 

Peter Brittingham, et al.

Filed

September 1, 2000

Tech Cntr/GAU

3714

Examiner

Ross A. Williams

**Entitled** 

COMPUTER BASED TEST ITEM GENERATION

Attorney Docket No. :

011948-0033-999 (NEW)

#### MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

# TRANSMITTAL FOR AMENDED APPEAL BRIEF

In response to the Notification of Non-Compliant Appeal Brief dated July 9, 2009 (copy attached hereto), transmitted herewith is an Amended Appeal Brief for this application.

### **EXTENSION OF TIME**

A petition for extension of time under 37 C.F.R. 1.136 for one month (PTO/SB/22) is attached hereto.

### **FEE PAYMENT**

Payment of the fee for the Appeal Brief (Fee Code 1402) was previously authorized on October 17, 2008 with the initial filing of the Appeal Brief. Authorization is given to charge any deficiencies in the fees, and/or to further credit any overpayments, to Deposit Account No. 503-013 to proceed with consideration of the attached Appeal Brief and to maintain the pendency of this application.

Respectfully Submitted,

JONES DAY

Date: September 9, 2009

Pearson

Registration No. 47,851

Intellectual Property Group 51 Louisiana Avenue, N.W. Washington, D.C. 20001 (202) 879-3939 Telephone (202) 626-1700 Facsimile